JUN 2 5 2008

RICHARD W. WIEKING

OCLERK, U.S. DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEIGH-DAVIS GLASS,	No. C 08-1585 JSW (PR)
Petitioner,) ORDER DENYING
VS.	RECONSIDERATION
ROBERT E. MCFADDEN,))) (Docket No. 7)
Respondent.	(Docket No. 7)

The instant action is a pro se petition for a writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, by a federal prisoner incarcerated at the Federal Prison Camp—Victorville, in Adelanto, California. This action was transferred to the Central District of California "in the interests of justice" pursuant to 28 U.S.C. § 1404(a) because Petitioner was convicted and is incarcerated within the venue of the Central District. *Chatman-Bey v. Thornburgh*, 864 F.2d 804, 813 (D.C. Cir. 1988); *McCoy v. United States Bd. of Parole*, 537 F.2d 962, 965 (8th Cir. 1976); *see also Dunne v. Henman*, 875 F.2d 244, 249-50 (9th Cir. 1989) (suggesting that preferred forum is district where petitioner is confined, even where district court has personal jurisdiction over custodian). Petitioner has filed a motion for reconsideration pursuant to Federal Rule of Civil Procedure 60(b).

Rule 60(b) of the Federal Rules of Civil Procedure provides for reconsideration where one or more of the following is shown: (1) mistake, inadvertence, surprise or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered before the court's decision; (3) fraud by the adverse party; (4) voiding of the judgment; (5) satisfaction of the judgment; (6) any other reason justifying relief. Fed.

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	

28

R. Civ. P. 60(b); School Dist. 1J v. ACandS Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). Subparagraph (6) requires a showing that the grounds justifying relief are extraordinary; mere dissatisfaction with the court's order or belief that the court is wrong in its decision are not adequate grounds for relief. See Twentieth Century - Fox Film Corp. v. Dunnahoo, 637 F.2d 1338, 1341 (9th Cir. 1981).

Petitioner brings her motion pursuant to Rules 60(b)(4) and 60(b)(6). Petitioner has not shown that the judgment is "void" or "any other reason justifying relief. Petitioner states in conclusory fashion that the Central District has violated her rights and that she will not receive a fair hearing there. See id (motions for reconsideration should not be frequently made or freely granted; they are not a substitute for appeal). Such arguments are properly made on appeal of any adverse judgment from the Central District, not in a motion for reconsideration of this Court's transfer order.

This order terminates Docket No. 7.

IT IS SO ORDERED.

DATED: 2 5 2008

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEIGH-DAVIS GLASS.

Plaintiff.

Case Number: CV08-01585 JSW

CERTIFICATE OF SERVICE

V.

ROBERT E. MCFADDEN et al.

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 25, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Leigh-Davis Glass - Reg No. 24821-112 Federal Prison Camp-FCC Victorville

P.O. Box 5100 Adelanto, CA 92301

Dated: June 25, 2008

By: Monica Narcisse, Deputy Clerk